

CHARTER

CDSS TRIBAL ADVISORY COMMITTEE

1. **PURPOSE:** The committee is established to improve the government-to-government relationships and communication between the Indian Tribes of California (Tribes), and the California Department of Social Services (CDSS). The committee provides advice to the Director of CDSS (Director) about matters of interest or concern to the Tribes and their constituents. The Director recognizes and respects the sovereign status of the Tribes. The committee has the power to recommend policies or procedures for CDSS, but not to incur debt payable by CDSS, nor to represent CDSS before any other entity. By no means will the meetings with Tribes through this committee constitute a “consultation” with Tribes for purposes of the CDSS Tribal Consultation Policy.
2. **QUALIFICATION, NOMINATION AND APPOINTMENT:** For the purposes of this committee, the terms “Tribe” and “Tribes” shall refer exclusively to the federally-recognized Indian tribes located entirely or partially within the State of California. The term “Indian Organization” means a group, association, partnership, corporation, or other legal entity owned or controlled by Indians, or a majority of whose members are Indians who serve and advocate concerns and issues impacting tribes and Indians in California. Each member of the committee is appointed by the Director of CDSS upon nomination by a Tribe in California. No single Tribe may nominate more than one member. Nominations will be solicited by CDSS annually or upon determination that a need to solicit exists. Considering the recommendations of the committee, the Director of CDSS shall have the exclusive authority to appoint members to the committee. If any member of the committee is unable to serve for any reason, the Director in consideration of recommendations from the committee shall have the exclusive authority to determine the appropriate process to select and appoint his or her successor.
3. **REPRESENTATION.** Notwithstanding his or her Tribal affiliation, each member who is appointed by the Director upon nomination by a Tribe is considered an “at large” advocate, to the best of his or her ability, for the interests of all the Tribes in the geographic area of the State of California (south, central, north) in which his or her Tribe is located. Each member who represents an Indian Organization and is appointed by the Director upon nomination by a Tribe is considered an advocate for Indians living in California. The committee shall elect, by majority vote of voting members present, a Chair and Vice Chair. The Chair and Vice Chair will serve a term that coincides with their membership on the committee.
4. **CDSS REPRESENTATION:** The CDSS Director serves ex-officio as a member of the committee and shall not vote on any matter whatsoever. The CDSS Office of Tribal Affairs (OTA) will staff the committee.
5. **OTHER REPRESENTATION:** The CWDA President serves ex-officio as a member of the committee and shall not vote on any matter whatsoever. The CDSS will invite other nonmember participants including but not limited to counties, state agencies, federal agencies and organizations.
6. **POWERS OF OFFICERS:** OTA staff will gather agenda requests, develop and review a proposed agenda with the CDSS Director and present it to the Chair and Vice Chair who are responsible for approving the agenda.

7. **NUMBER OF MEMBERSHIPS:** The total number of memberships on the committee shall at a minimum consist of nine voting memberships, and at maximum it shall consist of no more than twelve voting memberships. Representation will be evenly disbursed among regions which shall correspond to the North, Central and Southern Agency regions as identified by the Bureau of Indian Affairs Pacific Region Office. At all times, nine voting memberships shall be members appointed upon the nomination of Tribes, and two nonvoting members shall be the Director and CWDA President. Three Indian Organizations may also be appointed as nonvoting members by nomination of tribes.
8. **TERM OF MEMBERSHIP:** Each member shall be appointed to a two-year term. Members appointed to fill a vacancy occurring mid-term shall be appointed for the period remaining in that term of membership. By agreement of the Director and the Tribe nominating the member, a member may be reappointed for any number of terms of membership. A member may send an alternate to serve in his or her place. Any member who misses two consecutive meetings and has not sent an alternate shall automatically be deemed unable to serve, and his or her membership shall be declared vacant. Alternates have all the voting rights and privileges of the member they represent. Alternates do not automatically fill vacant memberships.
9. **“SUNSET” PROVISIONS:** The Director shall, on or about the first day of January of each year, evaluate whether this Tribal Advisory Committee will continue to exist. The committee shall automatically continue in existence unless it is dissolved following Tribal Consultation.
10. **FREQUENCY AND LOCATION OF MEETINGS:** A minimum of three meetings shall be called and held each calendar year. Meetings shall be held in Sacramento, California or at such other locations as may from time to time be convenient and necessary. Any Tribe may sponsor a meeting of the committee at its reservation, under mutually agreeable terms.
11. **ADMINISTRATIVE AND LOGISTICAL SUPPORT FOR THE COMMITTEE:** CDSS shall provide reasonable staff support for the activities of the committee. The CDSS OTA shall make arrangements for all meetings, shall provide administrative support and shall record and maintain minutes of each meeting. While CDSS will attempt to accommodate each member's needs, CDSS shall not be responsible for any costs to members, except as may be agreed in advance in writing. In all cases, the provisions of the State Administrative Manual, and federal regulations as appropriate, shall govern the conduct of business affairs. Contingent upon availability of funds, travel support may be provided to committee members.
12. **OPTIONAL WORKGROUPS:** Workgroups may be created to address specific issues as the need arises. The purpose will be identified by the committee and members and nonmembers may participate at the committee's discretion. A status report to the committee will be made at each meeting until the dissolution of the workgroup. A workgroup delegate should be determined to be responsible for these status reporting requirements.
13. **CONDUCT OF MEETINGS:** Meetings shall be conducted in a decorous, parliamentary and collegial manner. No specific rules of order are prescribed, however, to make official recommendations, a quorum of 50% of the voting membership of the committee must be in attendance. Summary minutes of each meeting shall be taken. All decisions of the committee

shall be made based on consent of the voting members present, except that any member may request a vote to be taken on any specific matter. When a vote is taken, a voting member must make a formal motion defining the committee's proposed action on the matter, the motion must be seconded by a voting member, the number of "ayes" and "nays" must be counted and the vote of a simple majority of the members present shall govern. In case of a tie vote, the motion shall be deemed to have failed of passage. All formal motions, seconds and votes must be recorded in writing in the minutes of the meeting.

14. **OPEN MEETING LAW:** Because the committee is entirely advisory in nature and has no governmental powers in and of itself, the proceedings of the committee are not subject to state or federal open meeting laws. However, the Director urges the committee to conduct its business in an open manner whereby any interested person is permitted to observe any meeting of the committee. The committee may, upon formal motion and approval by a majority of the voting members present, close the meeting to public observation for stated and reasonable cause. The committee shall decide the terms and conditions under which it will receive testimony before it. The committee shall not issue any form whatsoever of public information or news releases, however, the committee may request CDSS to issue such releases on its behalf and CDSS shall not unreasonably refuse to do so.
15. **INCOMPATIBLE ACTIVITIES:** Because the committee is entirely advisory in nature and has no governmental nor fiduciary powers in and of itself, the proceedings of the committee are not subject to state or federal laws governing incompatible activities. The Director requests each member to refrain from any activity that could reasonably be construed as, or give the appearance of, an incompatible activity or a conflict of interest. Members shall not seek any personal preference in any business matter involving CDSS by virtue of their membership on this committee. However, membership shall not bar any member from otherwise conducting business with CDSS.
16. **MODIFICATIONS OF CHARTER:** The Director shall have the right to change this Charter. However, the committee or tribes through the Tribal consultation process may at any time request the Director to change this charter. Notwithstanding his right in this regard, the Director shall not unreasonably refuse such request. By the same token, in the event the Director considers necessary any change not requested by the committee or tribes, he shall seek the committee's consent to the change.